

REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL

September 24, 2001

The REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL was held on Monday, September 24, 2001, at 7:01p.m., in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina.

PRESENT: Mr. James H. Rozier, Jr., Supervisor-Chairman; Mr. Milton Farley, Council Member District No. 1; Ms. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mr. Steve M. Vaughn, Council Member District No. 5; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. Henry L. Richardson, Jr., Council Member District No. 8; Mr. D. Mark Stokes, County Attorney, and Ms. Barbara B. Austin, Clerk to County Council.

The requirements of the Freedom of Information Act have been complied with by posting the time, date, place and copy of Agenda of this Regular Meeting of Berkeley County Council at the entrance of the Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, and a copy of such notice was mailed to all Council Members, the News media and posted electronically.

Chairman Rozier called the meeting to order.

Mr. Rozier introduced members of Boy Scout Troop #754, Ladson, South Carolina; Mr. Steve Staley, Stephen and Dylan Staley.

Mrs. Spooner gave the invocation; and Troop #754 led in the Pledge of Allegiance to the Flag of the United States of America.

Chairman Rozier asked the Council's pleasure on approval of minutes for Public Hearings: (JEDA), Bill No. 01-29 on August 20, 2001; and Public Hearings: 01-27, 01-28, and 01-30 (amend budget), and Regular Council meeting on August 27, 2001.

It was moved by Council Member Spooner and seconded by Council Member Vaughn to approve the minutes. The motion passed by unanimous voice vote of Council.

Chairman Rozier requested a motion to enter into Execution Session to discuss matters relating to the proposed location expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale of purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

It was moved by Council Member Spooner and seconded by Council Member Vaughn to enter into Executive Session for the reasons stated. The motion was passed by unanimous voice vote of Council.

Berkeley County Council entered Executive Session at 7:06 p.m. and returned at 7:58 p.m.

Mr. D. Mark Stokes, Berkeley County Attorney, reported Berkeley County Council went into Executive Session to discuss matters as previously stated in the motion; no formal action was taken.

Chairman Rozier asked for public input on any Ordinance that was up for Third Reading.

There was none.

THIRD READINGS:

“BILL NO. 01-31, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #106-00-00-002.”
(Vera Junior Owens)

It was moved by Council Member Spooner and seconded by Council Member Farley to adopt Bill No. 01-31. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 01-9-37 is attached to these minutes)

“BILL NO. 01-34, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #194-00-03-033.”
(Neville & Brenda Morgan)

It was moved by Council Member Spooner and seconded by Council Member Davis to adopt Bill No. 01-34. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 01-9-40 is attached to these minutes)

“BILL NO. 01-35, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES FOR TMS #242-00-02-053 & 054.” (Lovell Investment, L.P.)

It was moved by Council Member Spooner and seconded by Council Member Vaughn to adopt Bill No. 01-35. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 01-9-41 is attached to these minutes)

“BILL NO. 01-36, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF THE APPROVED USES OF TMS #224-00-01-029.” (Rebecca Smalls)

Council Member Davis requested without objection that Bill No. 01-36 be sent back to Committee. There were no objections from Council.

“BILL NO. 01-37, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF THE APPROVED USES OF TMS #161-15-00-033 & 050.” (William B. Dorn)

It was moved by Council Member Spooner and seconded by Council Member Vaughn to adopt Bill No. 01-37. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 01-9-42 is attached to these minutes)

“BILL NO. 01-38, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF THE APPROVED USES OF TMS #242-00-02-030.” (Betty A. Franklin)

It was moved by Council Member Spooner and seconded by Council Member Vaughn to adopt Bill No. 01-38. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 01-9-43 is attached to these minutes)

“BILL NO. 01-39, AN ORDINANCE TO AMEND ORDINANCE NO. 87-6-9 PROVIDING FOR THE CREATION OF THE BERKLEY COUNTY ACCOMMODATION TAX ADVISORY COMMITTEE, APPOINTMENT OF COMMITTEE MEMBERS, AND THE RULES AND REGULATIONS GOVERNING THE OPERATION OF THE COMMITTEE.”

It was moved by Council Member Vaughn and seconded by Council Member Spooner to adopt Bill No. 01-39. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 01-9-44 is attached to these minutes)

“BILL NO. 01-40, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE RECLASSIFICATON OF THE APPROVED USES OF TMS #242-07-00-023.” (Dilys M. Wright)

It was moved by Council Member Vaughn and seconded by Council Member Spooner to adopt Bill No. 01-40. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 01-9-45 is attached to these minutes)

Mr. Robbie Metts, Administrative Director, indicated to the Chairman that Bill No. 01-32 & 01-33 should receive third reading.

Council Member Vaughn explained these two Bills were held in Committee, but were sent forward for Public Hearing and were to go back to Committee for further consideration.

Chairman Rozier requested that Bill No. 01-32 & 01-33 be sent for Third Reading, without objection. There were no objections from Council.

“BILL NO. 01-32, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE RECLASSIFICATION OF THE APPROVED USES OF TMS #174-00-00-004.” (Brown & Tharp, LLC)

It was moved by Council Member Vaughn and seconded by Council Member Pinckney to adopt Bill No. 01-32. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 01-9-38 is attached to these minutes)

“BILL NO. 01-33, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE RECLASSIFICATION OF THE APPROVED USES OF TMS #175-00-01-033.” (Hazel M. Blackwell)

It was moved by Council Member Vaughn and seconded by Council Member Pinckney to adopt Bill No. 01-33. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 01-9-39 is attached to these minutes)

SECOND READINGS:

“BILL NO. 01-43, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE RECLASSIFICATION OF THE USES OF TMS #117-00-00-038.” (Joseph E. Rudd)

“BILL NO. 01-44, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE RECLASSIFICATION OF THE USES OF TMS #252-00-00-035.” (Fusion Properties, LLC)

“BILL NO. 01-45, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE RECLASSIFICATION OF THE USES OF TMS #252-00-00-002.” (Griffith-Knapp Properties)

“BILL NO. 01-46, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE RECLASSIFICATION OF THE USES OF TMS #252-00-00-003.”
(George E. Polk)

It was moved by Council Member Spooner and seconded by Council Member Mims to approve Bill No. 01-43, Bill No. 01-44, Bill No. 01-45 and Bill No. 01-46 for Second Reading. The motion was passed by unanimous voice vote of Council.

“BILL NO. 01-47, AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND AMONG BERKELEY COUNTY, SOUTH CAROLINA, AND TRITON PCS HOLDINGS COMPANY, LLC; AND OTHER MATTERS RELATING HERETO INCLUDING WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES.”

It was moved by Council Member Crosby and seconded by Council Member Spooner to approve Bill No. 01-47 for Second Reading. The motion was passed by unanimous voice vote of Council.

“BILL NO. 01-48, AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND AMONG BERKELEY COUNTY, SOUTH CAROLINA, AND DIBS-SUN, LLC; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES.”

It was moved by Council Member Crosby and seconded by Council Member Spooner to approve Bill No. 01-48 for Second Reading. The motion was passed by unanimous voice vote of Council.

FIRST READINGS:

“BILL NO. 01-49, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE RECLASSIFICATION OF THE APPROVED USES OF TMS #232-00-2-100 AND 232-00-02-010.” (Ruth T. Ayers)

“BILL NO. 01-50, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE RECLASSIFICATION OF THE APPROVED USES OF TMS #242-00-02-051.” (Bid Realty)

“BILL NO. 01-51, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE RECLASSIFICATION OF THE APPROVED USES OF TMS #242-00-02-041.” (Frances J. Garrison)

“BILL NO. 01-52, AN ORDINANCE TO AMEND THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK EXECUTED ON APRIL 24, 1995, BY AND AMONG BERKELEY COUNTY, SOUTH CAROLINA, AND WILLIAMSBURG COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK SO AS TO INCLUDE ADDITIONAL PROPERTY IN BOTH BERKELEY COUNTY AND WILLIAMSBURG COUNTY AS PART OF THE JOINT COUNTY INDUSTRIAL PARK, AND OTHER MATTERS RELATING THERETO.”

Chairman Rozier explained there is no vote at first reading. All bills automatically go back to committee for further consideration.

RESOLUTIONS:

“RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS IN THE 2001-2002 BERKELEY COUNTY BUDGET FOR COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET.”

It was moved by Council Member Vaughn and seconded by Council Member Spooner to adopt the Transfer of Funds Resolution in the 2001-2002 Berkeley County Budget. The motion was passed by unanimous voice vote of the Council. (A copy of Resolution No. R 01-35 is attached to these minutes)

“RESOLUTION AUTHORIZING BERKELEY COUNTY, SOUTH CAROLINA, TO CONSENT TO THE ASSIGNMENT BY LIBERTY PROPERTY LIMITED PARTNERSHIP OF ITS INTEREST IN A REAL PROPERTY LEASE PURCHASE AGREEMENT PURSUANT TO A FEE IN LIEN OF AD VALOREM TAXES AND OTHER MATTERS RELATED THERETO.”

It was moved by Council Member Vaughn and seconded by Council Member Crosby to adopt the Resolution as stated. The motion was passed by unanimous voice vote of the Council. (A copy of Resolution No. R 01-36 is attached to these minutes)

Chairman Rozier, without objection, introduced the following Resolution:.

“RESOLUTION OBJECTING TO THE APPLICATION FOR NOMINATION OF THE COOPER RIVER HISTORIC DISTRICT BY THE SOUTH CAROLINA DEPARTMENT OF ARCHIVES AND HISTORY FOR LISTING ON THE NATIONAL REGISTER OF HISTORIC PLACES WITHOUT FIRST PROVIDING NOTICE AND OPPORTUNITY FOR DISCUSSION TO BERKELEY COUNTY COUNCIL.”

It was moved by Council Member Vaughn and seconded by Council Member Pinckney to adopt the Resolution Objecting to the application for nomination of the Cooper River Historic

District. The motion was passed by unanimous voice vote of Council. (A copy of Resolution No. R 01-37 is attached to these minutes)

Chairman Rozier explained, "Berkeley County has been working with a number of land owners and industries to put together a Historical District to present to the National Register of Historic Places. While doing so, Historic Charleston made application without Berkeley County's knowledge. Therefore, this resolution was to object to the application, because Berkeley County did not have any input to their application." Mr. Rozier added, "We do not object to protecting historical property, we believe in protecting historical property."

REPORTS FROM STANDING COMMITTEES:

COMMITTEE ON FINANCE, Council Member Steve J. Vaughn, Chairman

Council Member Vaughn stated the Committee met on September 17 and all matters before them have been taken care of on tonight's agenda.

COMMITTEE ON LAND USE, Council Member Charles E. Davis, Chairman.

Council Member Davis stated the Committee met on September 17 and many of the items before it have been taken care of on tonight's agenda. There are recommendations for denial from the Committee for the following:

Request by Kenneth Flowers, S-8-27 near I-26, Ridgeville, TMS #175-00-02-008 (26.49 acres), from F-1, Flexible District, to LI, Light Industrial District.

Council Member Davis asked that the request by Kenneth Flowers be sent back to Committee.

Council Member Davis moved to deny Bill No. 01-10 request from Gayle Judy, 1009 Black Oak Road, Bonneau, TMS #068-04-02-005, 060, 061, 062, & 063 (2.1 acres total), from R-1, Single Family Residential District, to R-2, Residential Mobile Home District. (NO SECOND REQUIRED)

The motion to deny the request of Gayle Judy passed by unanimous voice vote of Council.

COMMITTEE ON PUBLIC WORKS AND PURCHASING, Council Member William E. Crosby, Chairman.

Council Member Crosby stated the Committee met on September 17.

Council Member Crosby moved to accept the recommendation for sole source purchase of two (2) Life-Pak monitors from Physio-Control. (NO SECOND REQUIRED)

The motion was passed by unanimous voice vote of Council.

Council Member Crosby requested, without objection, to accept a recommendation for sole source purchases for Berkeley County Library to purchase internet filtering system from Websense, and computer equipment from Epixtech.

It was moved by Council Member Vaughn and seconded by Council Member Davis to approve the sole source purchase recommendations for an Internet filtering system from Websense, and computer equipment from Epixtech for the Berkeley County Library. (NO SECOND REQUIRED)

The motion was passed by unanimous voice vote of Council.

Council Member Crosby moved to award the contract of Central & Lower Berkeley wastewater facilities master plan/contract to Davis & Floyd in the amount of \$94,410. (NO SECOND REQUIRED)

The motion was passed by voice vote of Council.

Council Member Crosby moved to award the contract for Engineering Services to CDM for Debris removal there. (NO SECOND REQUIRED)

The motion was passed by voice vote of Council.

Council Member Crosby moved to award the contract for modifying Convenience Center Phase I to Austin Construction in the amount of \$46,800. (NO SECOND REQUIRED)

The motion was passed by voice vote of Council.

Council Member Crosby moved to uphold the recommendation of BCW&SA Director, Mark Hehn to purchase a Trommel Screen from Screen-Tech, and to deny the protest from Sand Science, Inc. (NO SECOND REQUIRED)

The motion was passed by majority voice vote of Council with Council Member Davis voting "Nay," and Council Member Pinckney voting "Nay."

COMMITTEE ON JUSTICE AND PUBLIC SAFETY, Council Member Milton Farley, Chairman.

Council Member Farley stated the Committee met on September 10 several matters before the Committee had been taken care of on tonight's agenda. One item was the Berkeley County Rescue Squad gave a presentation for information only. No action was required.

COMMITTEE ON WATER AND SANITATION, Council Member Henry L. Richardson, Jr., Chairman.

Council Member Richardson stated the Committee met on September 10.

Council Member Richardson moved to accept changes made in Section 1.3 (contacts) and Section 3.2.1 (current Solid Waste Disposals needed with-in Berkeley County) of the Solid Waste Management Plan for Berkeley County. (NO SECOND REQUIRED)

The motion was passed by unanimous voice vote of Council.

COMMITTEE ON PLANNING AND DEVELOPMENT, Council Member Judith K. Spooner, Chairman.

Council Member Spooner stated the Committee met on September 17.

Council Member Spooner moved to accept the findings of the South Carolina Geodetic survey in regard to the Berkeley/Dorchester County Lines. (NO SECOND REQUIRED)

The motion was passed by unanimous voice vote of Council.

Council Member Spooner also reported there was a presentation made by William H. Lacey, III, Assistant Director of the International Trade Development, to provided the Committee with an update on the economic development within the state. No action was required.

COMMITTEE ON COMMUNITY SERVICES, Council Member Judy C. Mims, Chairman

Council Member Mims stated the Committee met on September 10 and several matters were taken care of on tonight's agenda.

Council Member Mims moved to accept the recommendations of the staff reorganization for Berkeley County Library. (NO SECOND REQUIRED)

The motion was passed by unanimous voice vote of Council.

COMMITTEE ON HUMAN SERVICES, Council Member Caldwell Pinckney, Chairman.

No Report.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

Council Member Vaughn nominated Randy W. McGinnis to the Tall Pines Special Tax District.

The nomination passed by unanimous voice vote of Council.

Council Member Vaughn nominated the following to the Devon Forest Special Tax District: Mr. John P. Zervos, 3 year term; Mr. Raymond Ridley, 3 year term; Mr. Rick Harris, 1 year term; Mr. Ronald Hughes, 3 year term; and Mrs. Debbie Royal, 3 year term.

The nominations passed by unanimous voice vote of Council.

Council Member Pinckney nominated Mr. John Hawkins for the Housing Board of Adjustments and Appeals.

The nomination passed by unanimous voice vote of Council.

There was no **CORRESPONDENCE**

UNFINISHED BUSINESS:

Chairman Rozier explained the line item transfers for the Transfer Resolution as follows:

EMS – transferring from Diesel fuel line to provide the match for the EMS State Grant.

Library – transfer from office supplies, salaries, FICA, retirement, workers comp., which will transfer \$10,636 into contingency fund and \$10,479 for the changes the Library requested.

Sheriff – transfer from insurance proceeds \$18,492 to the LLEBG match.

Chairman Rozier addressed Council stating there was a premium due the South Carolina Association of Counties for the 1998 – 1999 year, in the amount of \$39,621, which would come from contingency.

It was moved by Council Member Vaughn and seconded by Council Member Farley to approve the payment to SC Association of Counties in the amount of \$39,621 from the contingency fund. The motion was passed by unanimous voice vote of Council.

NEW BUSINESS:

Chairman Rozier addressed the security problems of the Berkeley County Buildings and the Berkeley County Office Building in particular. Chairman Rozier explained the County Office Building does not have a P.A. System. And further stated that a P.A. system would allow for meaningful evacuation. Chairman Rozier asked the Council to approve an expenditure of \$8000 maximum to install a P.A. System.

It was moved by Council Member Crosby and seconded by Council Member Spooner to approve an expenditure of no more than \$8000 for a P.A. System in the Berkeley County Office Building. The motion was passed by unanimous voice vote of the Council.

ANNOUNCEMENTS

The October 2001, Regular Meeting of Berkeley County Council will be held on Monday, October 22, 2001, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S.C., at 7:00 p.m.

It was moved by Council Member Vaughn and seconded by Council Member Crosby to adjourn the Regular Meeting of Council. The motion was passed by unanimous voice vote of the Council.

The meeting was adjourned at 8:26 p.m.

S/Barbara B. Austin
Clerk to County Council

10/22/01
Date Approved

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** to be held on Monday September 24, 2001, is scheduled to begin at 7:00 P.M., in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

APPROVAL OF MINUTES:

Public Hearing (JEDA)	August 20, 2001
Public Hearing: Bill Numbered 01-29	August 20, 2001
Public Hearings: Bills Numbered: 01-27 and 01-28	August 27, 2001
Public Hearings: Bill Numbered 01-30 (Amend Budget)	August 27, 2001
Regular Council Meeting	August 27, 2001

PUBLIC DISCUSSION - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

THIRD READING:

1. Bill No. 01-31, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Vera Junior Owens, 1693 Bethera Road, Bonneau, TMS #106-00-00-002 (1.63 acres), from CG, General Commercial District, to F-1, Flexible District. Council District No. 8.
[Recommended by Committee on Land Use]

2. Bill No. 01-34, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Neville & Brenda Morgan, 993 Sheep Island Road, Summerville, TMS #194-00-03-033 (1 lot), from F-1, Flexible District, to CN, Neighborhood Commercial District. Council District No. 7.

[Recommended by Committee on Land Use]

3. Bill No. 01-35, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Lovell Investment, L. P., 204 Royle Road, Summerville, TMS #242-00-02-053 & 054, (7.37 acres total), from CG, General Commercial District, to LI, Light Industrial District. Council District No. 5.

[Recommended by Committee on Committee on Land Use]

4. Bill No. 01-36, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Rebecca Smalls, 3028 Old Highway 52, Moncks Corner, TMS #224-00-01-029, (6.25 acres), from R-2, Mobile Home District, to R-2RF, Mobile Home Rural Farm Residential District. Council District No. 4.

[Recommended by Committee on Land Use]

5. Bill No. 01-37, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: William B. Dorn, 1542/1554 South Live Oak Drive, Moncks Corner, TMS #161-15-00-033 & 050, (4.28 acres total), from CG, General Commercial District, to F-1, Flexible District. Council District No. 8.

[Recommended by Committee on Land Use]

6. Bill No. 01-38, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Betty A. Franklin for Jack Greene, 124 Justin Court, Ladson, TMS #242-00-02-030, (2.26 acre portion, 3 acres total), from CG, General Commercial District, to F-1, Flexible District. Council District No. 5.

[Recommended by Committee on Land Use]

7. Bill No. 01-39, An Ordinance to amend Ordinance No. 87-6-9 providing for the creation of the Berkeley County Accommodations Tax Advisory Committee, appointment of committee members, and the rules and regulations governing the operation of the committee.

[Recommended by Committee on Finance]

8. Bill No. 01-40, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Dilys M. Wright, R & D Acres Mobile Home Park, 193 Acres Drive, Ladson, TMS# 242-07-00-023 (5.35 acres), from R-2, Residential Mobile Home District, to LI, Light Industrial District. Council District No. 5.

[Recommended by Committee on Land Use]

SECOND READING:

1. Bill No. 01-43, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Joseph E. Rudd, 3963 State Road, Ridgeville, TMS #117-00-00-038 (1.34 acres), from F-1, Flexible District, to CN, Neighborhood Commercial. Council District No. 7.

[Recommended by Committee on Land Use]

2. Bill No. 01-44, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Fusion Properties, LLC, 7060 North Rhett, Goose Creek, TMS #252-00-00-035 (4.24 acres), from CG, General Commercial District, to HI, Heavy Industrial District. Council District No. 3.

[Recommended by Committee on Land Use]

3. Bill No. 01-45, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Griffith-Knapp Properties, North Rhett, Goose Creek, TMS #252-00-00-002 (4 acres), from CG, General Commercial District, to HI, Heavy Industrial District. Council District No. 3.

[Recommended by Committee on Land Use]

4. Bill No. 01-46, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: George E. Polk, Corner of Redbank Road and North Rhett, Goose Creek, TMS #252-00-00-003 (13.2 acres), from CG, General Commercial District to HI, Heavy Industrial District. Council District No. 3.

[Recommended by Committee on Land Use]

5. Bill No. 01-47, An Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and among Berkeley County, South Carolina, and Triton PCS Holdings Company, L.L.C.; and other matters relating hereto including, without limitation, payment of a fee in lieu of taxes.

[Recommended by Committee on Finance]

6. Bill No. 01-48, An Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and among Berkeley County, South Carolina, and DIBS-SUN, LLC; and other matters relating thereto including, without limitation, payment of a fee in lieu of taxes.

[Recommended by Committee on Finance]

FIRST READING:

1. Bill No. 01-49, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Ruth T. Ayers, Trustee, 165 Royle Road, Ladson, TMS #232-00-02-100 and 232-00-02-010 (15.84 acres total), from CG, General Commercial District and F-1, Flexible District, to LI, Light Industrial District. Council District No. 4.

[Recommended by Committee on Land Use]

2. Bill No. 01-50, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Bid Realty, Royle Road, Ladson, TMS #242-00-02-051 (17.1 acres), from CG, General Commercial District, to LI, Light Industrial District. Council District No. 5.

[Recommended by Committee on Land Use]

3. Bill No. 01-51, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Frances J. Garrison, 174 Highway 78, Ladson, TMS #242-00-02-041 (1.86 acres), from R-1, Single Family Residential, to CG, General Commercial District. Council District No. 5.

[Recommended by Committee on Land Use]

4. Bill No. 01-52, An Ordinance to amend the agreement for development of a Joint County Industrial Park executed on April 24, 1995, by and among Berkeley County, South Carolina, and Williamsburg County, South Carolina, providing for the development of a jointly owned and operated industrial/business park so as to include additional property in both Berkeley County and Williamsburg County as part of the joint county industrial park, and other matters relating thereto.

[Recommended by Committee on Finance]

RESOLUTIONS:

1. **RESOLUTION** providing for the Transfer of Funds in the 2001-2002 Berkeley County Budget for County Purposes other than as specified in said Budget.

[Recommended by Committee on Finance]

2. **RESOLUTION** authorizing Berkeley County, South Carolina, to consent to the assignment by Liberty Property Limited Partnership of its interest in a real property lease purchase agreement pursuant to a fee-in-lieu of ad valorem taxes and other matters related thereto.

[Recommended by Committee on Finance]

REPORTS FROM STANDING COMMITTEES:

1. Committee on Finance.
Councilmember Steve M. Vaughn, Chairman.

2. Committee on Land Use.
Councilmember Charles E. Davis, Chairman.
Recommendations to Deny:

a. Request by Kenneth Flowers, et al., S-8-27 near I-26, Ridgeville, TMS 175-00-02-008 (26.49 acres), from F-1, Flexible District, to LI, Light Industrial District. Council District No. 7.

b. Bill No. 01-10, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Gayle Judy, 1009 Black Oak Road, Bonneau, 068-04-02-005, 060, 061, 062, 063 (2.1 acres total), from R-1, Single Family Residential District, to R-2, Residential Mobile Home District. Council District No. 6.

3. Committee on Public Works and Purchasing.
Councilmember William E. Crosby, Chairman.
EMS Department: Sole Source purchase approval for Life-Pak monitors.
Library: Sole Source purchase of filtering system.

Bids and Recommendations:

1. Convenience Center Modification, Phase I.

Contracts:

1. Central & Lower Berkeley wastewater facilities master plan/contract.
2. Engineering Services, CDM.

Protest:

1. Trommel Screen.
- 2.

4. Committee on Justice and Public Safety.
Councilmember Milton Farley, Chairman.
5. Committee on Water and Sanitation.
Councilmember Henry L. Richardson, Jr., Chairman.
1. Amend Solid Waste Management Plan.
6. Committee on Planning and Development.
Councilmember Judith K. Spooner, Chairman.
1. Berkeley/Dorchester County lines.
7. Committee on Community Services.
Councilmember Judy C. Mims, Chairman.
1. Reorganization of Library staff.
8. Committee on Human Services.
Councilmember Caldwell Pinckney, Jr., Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

1. BERKELEY COUNTY AERONAUTICS COMMISSIONS
2. CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS
3. HOUSING BOARD OF ADJUSTMENTS AND APPEALS

4. BERKELEY COUNTY MENTAL HEALTH BOARD
5. SPIERS LANDING COMMISSION
6. BERKELEY COUNTY WATER AND SANITATION APPEALS BOARD
7. BERKELEY COUNTY LIBRARY BOARD
8. DEVON FOREST SPECIAL TAX ADVISORY COMMISSION
9. SANGAREE SPECIAL TAX ADVISORY COMMISSION
10. SANTEE COOPER COUNTIES PROMOTION COMMISSION
11. CHARLESTON REGIONAL DEVELOPMENT ALLIANCE
BOARD OF DIRECTORS

CORRESPONDENCE

UNFINISHED BUSINESS

NEW BUSINESS

ANNOUNCEMENTS

The October 22, 2001, Regular Meeting of Berkeley County Council will be held on Monday September 24, 2001, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S. C., at 7:00 P.M.

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

September 19, 2001
S/Barbara B. Austin
Clerk to County Council